



National Aeronautics
and Space Administration

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ENVIRONMENTAL NEWSLETTER

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EXECUTIVE ORDERS

The Federal government is the Nation's largest consumer of raw materials, power, water, and product. The government consumes these resources in its production, maintenance, and operational activities. In many cases, these activities result in the generation of harmful liquid, solid, and gaseous wastes. Such wastes may have adverse impacts on people and the environment. In addition, the management and disposal of these wastes are costly. Federal agencies can reduce their environmental impacts and the costs associated with managing these impacts by incorporating pollution prevention into their facilities activities. The Federal government is in a unique position to demonstrate leadership by protecting the environment using pollution prevention. To promote pollution prevention as the preferred environmental management technique throughout the Federal government, the President has issued numerous Executive Orders. These orders instruct Federal agencies to integrate waste reduction and recycling programs into their environmental management initiatives. To do this, the President has identified specific source reduction and recycling goals that all Federal agencies and facilities should meet. By requesting Federal agencies to respond to the goals of Executive Orders, the Federal government demonstrates its commitment to the environment and ultimately to each citizen of the United States. The general requirements for the Executive Orders are summarized below.

Executive Order 12856 - Federal Compliance with Right-to-Know Laws and Pollution Prevention Requirements (August 3, 1993)

- Develop a facility-wide pollution prevention plan by December 31, 1995, to reduce releases and transport of toxic chemicals by 50 percents.
- Ensure that the plan supports agency-wide reduction strategies and goals.
- Establish agency plans and goals to eliminate or reduce unnecessary acquisition of products containing hazardous substances or toxic chemicals.
- Make strategies, plans, and Toxic Release Inventory (TRI) reports available to the communities surrounding your facility.
- Comply with EPCRA emergency planning and response requirements.
- Report releases and transfers of toxic chemicals to the TRI.

Executive Order 12873 - Federal Acquisition, Recycling, and Waste Prevention (October 20, 1993)

- Establish goals for solid waste prevention and recycling to be achieved by 1995.

- Procure products that are environmentally preferable or that made with recovered materials, and set annual goals to maximize the number of recycled products purchased.

Executive Order 12902 - Energy Efficiency and Water Conservation (March 8, 1994)

- Reduce the overall energy use in federal buildings by 30 percent by 2005.
- Increase overall energy efficiency in industrial facilities by 20 percent by 2005.
- Significantly increase the use of solar and other renewable energy sources.
- Minimize the use of petroleum products at federal facilities by switching to less polluting alternative energy sources.

Executive Order 12843 - Procurement Requirements and Policies for Federal Agencies for Ozone-Depleting Substance (April 21, 1993)

- Maximize use of alternatives to ozone-depleting substances.
- Modify procurement specifications and practices to substitute non-ozone-depleting substances.

Executive Order 12844 - Federal Use of Alternative Fueled Vehicles (April 21, 1993)

- Procure and use alternative fueled vehicles, where possible, to reduce toxic and hazardous air pollutants.
- Purchase 50 percent more alternative fueled vehicles from 1993 through 1995 than currently specified in the Energy Policy Act of 1992. While your facility may not be scheduled to purchase such vehicles, you should investigate and purchase such vehicles if possible.

Executive Order 12845 - Purchasing Energy Efficient Computer Equipment (April 21, 1993)

- Meet EPA "Energy Star" energy efficiency requirements in the purchase of computer equipment.
- Equip existing computer equipment with energy efficient low-power stand-by feature.
- Educate staff about the environmental and economic benefits of energy efficiency.

Executive Order 12898 - Federal Actions to Address Environmental Justice

- Encourages Federal facilities to document potential environmental impacts in environmental justice areas and target such impacts for reduction through pollution prevention.

EPCRA

In November of 1986, Congress passed a law designed to help America's communities deal safely and effectively with many hazardous substances that are used throughout our society. The law is called the Emergency Planning and Community Right-to-Know Act (EPCRA). The law has two main purposes: to encourage and support emergency planning for responding to chemical accidents; and to provide local governments and the public with information about possible chemical hazards in their communities. The law requires facilities to provide information on the presence of hazardous chemicals in communities directly to the people who are most affected, both in terms of exposure to potential risks and the effects of those risks on public health, safety, the environment, jobs, the local economy, property values, and other factors. Federal facilities must be in compliance with Sections 302, 303, 304, 311, 312 and 313 of the EPCRA as directed by Executive Order 12856. Below is the list of the highlights of the law:

Emergency Planning (Section 301 - 303)

- Governors appoint state emergency response commissions (SERCs).
- SERCs establish emergency planning districts and appoint, supervise, and coordinate local emergency planning committees (LEPCs).
- LEPCs develop local emergency response plans and review them at least annually.
- Facilities notify SERCs and LEPCs if they have extremely hazardous substances present above "threshold planning quantities," and participate in emergency planning.

Emergency Release Notification (Section 304)

- Facilities notify SERCs and LEPCs immediately of accidental releases of hazardous substances in excess of "reportable quantities" and provide written reports on action taken on medical effects.
- SERCs and LEPCs make accidental release information available to the public.

Hazardous Chemical Reporting (Section 311-312)

- Facilities submit material safety data sheets (MSDSs) or lists of hazardous chemicals on-site (above "threshold quantities") to SERCs, LEPCs, and local fire departments.

- Facilities submit emergency and hazardous chemical inventory forms (amounts and locations of chemical) to SERCs, LEPCs, and local fire departments.
- SERCs and LEPCs make hazardous chemical information available to the public.

Toxic Chemical Release Reporting (Section 313)

- Covered facilities submit annual reports on yearly toxic chemical releases to states and EPA.
- EPA establishes a national toxic chemical release inventory based on facility reports.
- States and EPA make release information available to the public and communities, EPA makes the information accessible on a national computerized data base, and by other means.

Trade Secrets (Section 322)

- Facilities may claim chemical identity information trade secret, but must substantiate the claim.
- Trade secret information may be disclosed to health professionals for diagnostic, treatment, and prevention purposes.
- Citizen may challenge trade secret claims by petitioning EPA.

Penalties and Citizen Suits (Section 325-326)

- The government may assess civil and administrative penalties of \$10,000 to \$75,000 per day against facilities that fail to comply with the above provisions.
- Anyone who knowingly and willfully fails to provide emergency release notification is subject to criminal penalties of up to \$50,000 or five years in prison.
- The SERC, LEPC, or the state or local government may initiate actions against facility owners or operators for failure to comply with Title III requirements.
- Citizens may initiate civil actions against EPA, SERCs, and facility owners and operators for failure to comply with the law.
- Anyone who knowingly and willfully discloses trade secret information may face penalties up to \$20,000 and/or one year in prison.
- States may sue EPA for failure to provide trade secret information.

This newsletter was produced by the NASA/KSC Environmental Management Office. All comments or questions may be made by calling (407) 867-4049 or by writing to the following address:

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